

VERMONT LEGAL AID

WORKING TOGETHER FOR JUSTICE



Eviction Prevention Strategies

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Demand for Services

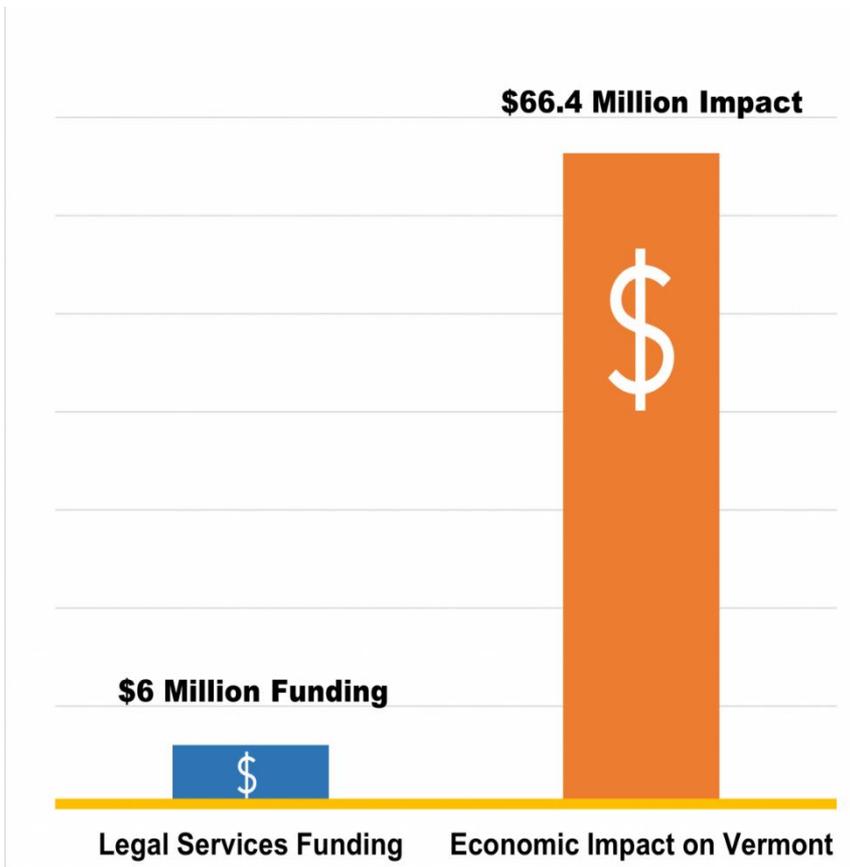


| Legal Problem | Case Count |
|--------------------|---------------|
| Benefits | 1471 |
| Consumer | 431 |
| Education | 579 |
| Employment | 183 |
| Family | 890 |
| Health | 691* |
| Housing | 3,606 |
| Individual Rights | 1,810 |
| Misc. | 777 |
| Blank | 17 |
| Grand Total | 10,455 |

How We Solve Problems

| Level of Service | % of Housing Cases |
|-----------------------|--------------------|
| Counsel & Advice | 28% |
| Brief Service | 20% |
| Extensive Service | 22% |
| Negotiated Settlement | 22% |
| Agency Decision | 17% |
| Court Decision | 6% |
| Appeal | <.1% |

Benefits of Funding Legal Services

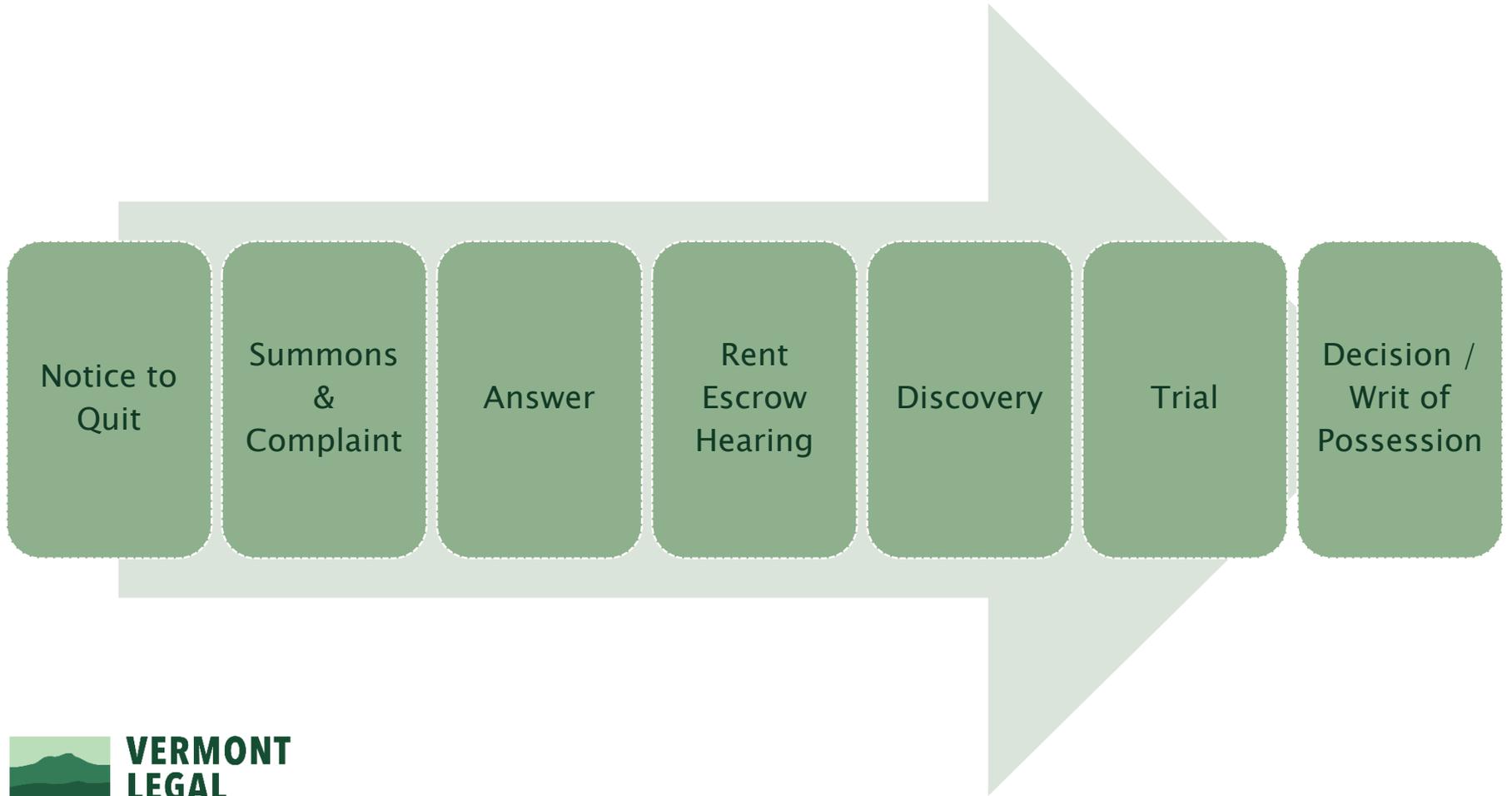


- Income for low-income households: \$32.7 million
- Cost savings: \$2.6 million
- Multiplier impact on communities: \$31.1 million

Need for Eviction Prevention

- HMIS data*: 4,400 HH homeless in the past year
- Transitional Housing Program*: 1,230 households made up of 1,502 adults and 409 children
- No plan to prevent return to mass unsheltered homelessness July 1
- **Lack of eviction prevention will only increase** that unsheltered population due to rising rents, stagnant wages, and the <1% vacancy rate

Eviction Process



Office of Rental Housing Stabilization Programs

- Resource for tenants and landlords
- Available at any time prior to filing of summons of complaint
- Pair with new requirement that Notice to Quit must advise tenant of program and potential to access resources to save tenancy
 - Tenant can seek resources to save tenancy throughout case
 - No additional time in case
- Screens tenants for eligibility for: repair funds, HOP, Rent Rescue Fund, rental subsidies, other financial assistance, legal counsel, voluntary mediation

Existing Resources for ORHSS

- [Housing Opportunity Program](#)

- Eligible if:
 - Category 1 Homeless OR
 - Categories 2-4 Homeless w/ income < 50% AMI
- Rent arrears (**max 3 months, less at discretion of administering agency**),

- Non-profits, faith-based agencies, depending on resources, times of year, location of tenant – underpublicized.
- Landlord Association mediation program
- Tenant-based voucher applications (Housing Choice Vouchers)
- VSHA Landlord Relief Program
- Vermont Housing Improvement Program (VHIP)

Proposed New Benefit : Rent Arrears Assistance Fund

- \$2,500,000 Appropriation
 - Housed at Vermont State Housing Authority
 - Eviction stayed while application pending
 - No new NTQ or S&C while app pending
 - Upon payment, Dismissal of eviction
- Proposed Eligibility (Tenant):
 - Income \leq 100% AMI OR
 - Rent burden \geq 40% household income OR
 - Expenses exceed household income
 - Tenancy sustainable using standardized tool
 - Served S&C

Area Median Income

| | AMI | One-Person | Two-Person | Three-Person | Four-Person |
|------------------------------------|------|------------|------------|--------------|-------------|
| Chittenden / Franklin / Grand Isle | 50% | 37,600 | 42,950 | 48,300 | 53,650 |
| | 100% | 75,200 | 85,900 | 96,600 | 107,300 |
| Addison | 50% | 32,800 | 37,450 | 42,150 | 46,800 |
| | 100% | 65,600 | 74,900 | 84,300 | 93,600 |
| All Other Vermont Counties | 50% | 32,500 | 37,100 | 41,750 | 46,400 |
| | 100% | 65,000 | 74,200 | 83,500 | 92,800 |

New Benefit Program: RAAF (2)

- VSHA framework for landlord eligibility:
 - Habitability
 - Rent increase limits
 - Direct deposit
 - Dismissal
- Role of VSHA:
 - Develop tenant application form
 - Refer to VLA for assisting tenants in completing form
 - Secure landlord certifications and agreements
 - Notify court of LL refusal to participate, disbursement of funds if proof of dismissal not provided

Full Representation Pilot

■ One-Year Pilot:

- .5 FTE Director:
\$73,000
- 2.5 FTE Attorney:
\$338,000 (\$135,200 each)
- 1 FTE Paralegal:
\$115,000
- Total: \$526,000

■ Two-Year Pilot

- Total: 1,077,000, assumes 5% cost increase in Year 2.

■ Pilot Hypotheses:

- Full representation of tenants will increase the likelihood of saving tenancies, such as through negotiated resolution, or through successful raising of defenses and counterclaims
- Full representation of tenants will decrease burden on civil courts managing the housing docket

Answering a Complaint

“I fell asleep during my ride home from work, totaling my car. (Due to lack of sleep from working a full time overnight job & being a full time mommy) Unfortunately I lost my job due to injuries that kept me from going to work. . . . We always pay (late or not) and we will catch up!”

Benefits of Attorneys Answer to Trial

- **Answer:** Attorneys scrutinize the Notice to Quit and Summons and Complaint for defects or errors, dispute allegations, file legally relevant answers, and identify defenses or counterclaims.
- **Rent Escrow:** Replaces lawyer-for-a-day programs in place in pilot counties
- **Motion Practice:** Attorney knows how to file and respond to motions
- **Discovery:** Attorneys know how to conduct discovery (requests to admit, interrogatories, depositions)
- **Trial:** Attorneys know how to subpoena witnesses, conduct direct and cross examinations of witnesses, submit evidence, make opening and closing statements